

IEPA Log No.: **C-0032-14**  
CoE appl. #: **LRC-2013-161**

Public Notice Beginning Date: **July 20, 2015**  
Public Notice Ending Date: **August 19, 2015**

Section 401 of the Federal Water Pollution Control Act  
Amendments of 1972

**Section 401 Water Quality Certification to Discharge into Waters of the State**

**Public Notice/Fact Sheet Issued By:**

Illinois Environmental Protection Agency  
Bureau of Water  
Permit Section  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
217/782-3362

**Name and Address of Discharger:** City of Chicago, Department of Transportation – 30 North LaSalle  
Street, Chicago, Illinois 60602

**Discharge Location:** In Chicago, IL Section 24 of Township 40N, Range 13E of the 3<sup>rd</sup> P.M. in Cook  
County.

**Name of Receiving Water:** North Branch of the Chicago River

**Project Description:** Construction of a pedestrian/bicycle trail under Addison Street that includes two 16  
foot wide bridges and dredge and fill operations along the North Branch of the Chicago River

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Jenny Larsen at 217/782-3362.

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Chicago Department of Transportation (CDOT; “Applicant”) has applied for Section 401 water quality certification for impacts of approximately 0.12 acres to the North Branch Chicago River including approximately 2,740 CY of earthen embankment fill for the trail and 299 CY of concrete fill for bridge piers. The proposed project will construct 2,100 lineal feet (LF) of pedestrian and bicycle trail along the North Branch Chicago River (NBCR) in Section 24, Township 40 North, Range 13 East, Chicago, Cook County. The trail includes two 16’ wide bridges, a 39’ single span bridge south of Addison Street, and a 1014’ bridge across the NBCR north of Addison Street. The 1014’ bridge will be constructed of 16 spans with clearance between piers of 60’ to 110’ with a minimum of 75’ horizontal clearance for the span crossing the main channel and a vertical clearance of 18’ minimum above normal water level. The on-grade portions of the project will include a segment south of Addison Street Bridge continuing under the bridge and a segment located on the west bank of NBCR connecting to an existing at-grade trail at the south end of California Park. These connections will include construction of a cantilevered wall constructed of segmental concrete block on the east bank and an additional earth embankment supported by a sheet pile wall on the river’s west bank. An additional trail connection located west of the NBCR but not within its banks is proposed for 400’ to 750’ south of Irving Park Road. The purpose of this project is to provide public access and a continuous riverfront trail from Clark Park to the north end of California Park along the NBCR. It will also serve as a segment of the 1.5 mile continuous trail from Clark Park to Horner Park pending the construction of the Irving Park Road Underbridge project. The proposed project will impact approximately 0.12 acres of WOUS; these impacts will be mitigated with the purchase of 0.36 acres of certified wetland credit from the Lily Cache Wetland Mitigation Bank located in Will County.

Information used in this review was obtained from the applicant in a document entitled, Chicago Department of Transportation, City of Chicago, Joint Application Form, Addison Underbridge Trail Connection from Clark Park to California Park, dated January 14, 2014.

### **Identification and Characterization of the Affected Water Body**

The North Branch Chicago River (IL\_HCC-02), a direct tributary to the Chicago Sanitary and Ship Canal, is a General Use Water with an estimated 279 cfs 7Q10 flow, at this location. According to the draft 2016 Illinois Integrated Water Quality Report and Section 303(d) List, the North Branch Chicago River has been assessed by Illinois EPA and is listed as not supporting Indigenous Aquatic Life and Fish Consumption uses. Causes for impairment include Dissolved Oxygen and Total Dissolved Solids for Indigenous Aquatic Life use and Mercury and Polychlorinated biphenyls for Fish Consumption use. Secondary Contact and Aesthetic Quality uses have not been assessed. The North Branch Chicago River is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*; it is given an integrity rating of “D” in that

document. The North Branch Chicago River is not designated as an enhanced water pursuant to the dissolved oxygen water quality standard.

No wetlands have been identified within the project boundaries. Impacts to the WOUS (0.12 acres) are unavoidable and will be mitigated at a ratio of 3:1 with the purchase of 0.36 acres of certified wetland credit from the Lily Cache Wetland Mitigation Bank.

### **Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses**

The pollutant load increases that would occur during this project include possible increases in suspended solids from the instream and earth embankment work. An erosion and sediment control plan, including temporary seeding, silt fence and inlet filters, will be utilized during the earth embankment. Permanent sheet piles will be installed prior to the removal of vegetation along the earth embankment and in the development of instream cofferdams. Cofferdams and barges serving as work platforms will be utilized as temporary stream works to facilitate the placement of the bridge piers. A minimum horizontal clearance of 40' will be maintained during construction to facilitate stream navigation. Any pump water from the cofferdam will be filtered prior to reentry into the river. The stream channel will be cleared of all temporary stream works upon completion of the project. Due to the total land area affected by the construction, a NPDES permit will be required.

Aquatic life uses in the portion of the river that will be disturbed during construction may be negatively impacted, but in time, they will recover and support approximately the same community structure as is now found in the existing channel. Impacts to aquatic communities should be negligible due to the river's size and previous anthropogenic changes in the river system.

### **Fate and Effect of Parameters Proposed for Increased Loading**

The increase in suspended solids will be local and temporary. Erosion control measures will be utilized to minimize any increase in these disturbances and prevent further impacts to the river near the newly constructed bridge and trail. The Applicant will mitigate the impacts to the NBCR with the purchase of 0.36 acres of certified wetland credit from the Lily Cache Wetland Mitigation Bank in Will County, the result of 3.0:1 mitigation ratio applied to 0.12 acres of impacts to WOUS.

### **Purpose and Social & Economic Benefits of the Proposed Activity**

The proposed trail and bridge project will connect Clark Park to the north end of California Park along the NBCR. The project is a segment of a 1.5 mile continuous trail from Clark Park to Horner Park, pending the construction of the Irving Park Road Underbridge project. The continuous riverfront trail will expand public use of the river corridor, improve public access to the river, and provide linkage between parks and adjacent public spaces while creating a unified riverfront trail system. The project has the potential to generate economic activity and enhance cultural awareness and community identity in the area.

## **Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation**

Three alternatives were evaluated by CDOT and listed below. The United States Coast Guard (USCG) provided design criteria for the NBCR Bridge crossing including the need for the new bridge to provide a minimum horizontal clearance of 75' between piers in the main channel and minimum vertical clearance of 18' above the normal water level to facilitate navigation.

### **Alternative 1: Embankment path using retaining wall (public property)**

- Wholly contained within the right-of-way of the Chicago River
- Land controlled by the Metropolitan Water Reclamation District of Greater Chicago
- Would require a 3' to 8' tall retaining wall on both sides of the path to help balance the cut and fill within the floodplain
- Significant amount of fill required to construct path
- Removal of existing natural vegetation along banks of NBCR replaced with retaining walls

### **Alternative 2: Embankment path using retaining wall (private property)**

- Similar to Alternative 1 except the path would be located partially on private property
- Eastern edge of path would be located approximately 5' from building facades
- Alternative would require acquisition and easements from private property owners north of Addison Street Bridge along the east bank
- Would require a 3' to 8' tall retaining wall on both sides of the path to help balance the cut and fill within the floodplain
- Significant amount of fill required to construct path
- Removal of existing natural vegetation along banks of NBCR replaced with retaining walls

### **Alternative 3: Preferred Alternative: Embankment path and bridge over NBCR**

- On-grade portion of project limited to east bank south, under, and slightly north of the Addison Street Bridge and west bank near existing trail
- Cantilevered wall on east bank and earth embankment on west bank
- 39' single span bridge south of Addison Street and 1014' 16 span bridge north of Addison Street connecting the east bank to west bank
- Minimizes fill in the floodplain and impacts to nearby property owners
- Maintains natural vegetation and riparian buffer zone

## **Conclusion:**

The construction of the proposed project will follow conditions set forth by the Agency and USACE. The completion of the trail and bridge project is the most cost effective, viable means for connecting Clark Park to California Park and completing a segment of the 1.5 mile trail continuous from Clark Park to Horner Park. Best management practices (BMPs) including temporary seeding, silt fence, and inlet filters will be implemented prior to, during, and post-earth embankment construction. Sheet pile walls and cofferdams, along with a filtration system for any pump water will be utilized to reduce embankment material from mixing with the river

water. The preferred alternative protects the NBCR by minimizing the impacts to the floodplain, maintaining the existing aesthetic appeal of the natural vegetation, and maintaining the natural riparian buffer zone that prevents soil erosion and filters pollutants from storm water runoff. Mitigation for impacts of 0.12 acres to WOUS will be accomplished by the purchase of 0.36 acres of certified wetland credit from the Lily Cache Wetland Mitigation Bank.

### **Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities**

The Biological Resource Review Memorandum (dated July 11, 2012) coordinated survey results with IDNR. Upon review, IDNR concurred that the project does not require biological or wetland surveys and no records of listed species, natural areas or nature preserves are within the project corridor and consultation was terminated. A preliminary review of potential impact to federal threatened or endangered species was performed by IDNR with findings that there will be no effect to the species listed for Cook County and no coordination with IDNR or USFWS is required at this time.

### **Agency Conclusion**

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this assessment was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by providing a continuous riverfront trail and public access from Clark Park to California Park along the NBCR. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.